



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,455	04/24/2001	Sung Lyong Lee	Q62057	1907
7590 01/10/2005 SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC 2100 PENNSYLVANIA AVENUE, N.W. WASHINGTON, DC 20037-3213			EXAMINER SHAPIRO, LEONID	
			ART UNIT 2673	PAPER NUMBER

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/840,455	Applicant(s) LEE, SUNG LYONG	
	Examiner Leonid Shapiro	Art Unit 2673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) 1, 2, 4 and 5 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 3, 6-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 3, 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chernock et al (US Patent no. 6,229,524 B1) in view of Blonstein et al. (US Patent No. 5,955,988) and Ohyama et al. (US Patent NO. 5,751,373).

As to claim 3, Chernock et al. teaches an OSD image display apparatus (See Fig. 2, item 1, Col. 1, Lines 4-10 and Col. 4, Lines 54-56), comprising: an OSD source remote controller for generating a cursor display command on a screen (See Fig. 3, items 1-12, tab, enter, options, Col. 5, Lines 54-67); an OSD source for initially transmitting OSD cursor display data (See Fig. 2, items Frame 1, 30,40,50,60, in description See Col. 5, Lines 43-54); a display apparatus for storing OSD cursor display data transmitted by the OSD source in the memory (See Col. 4, Lines 46-63), and displaying the cursor display data on the screen by reading the cursor display data stored in the memory in response to the cursor display location information (See Fig. 2, items Frame 1, 30,40,50,60, in description See Col. 5, Lines 43-54), a storage device for setting display information indicating that the OSD source is a product which can store OSD cursor display data provided from the display apparatus (See Fig. 2, item 60, in description See Col. 5, Lines 54-67 and Col. 4, Lines 54-63).

Chernock et al. teaches to reposition the cursor from one hot spot to another using the tab key or arrow keys (See Fig. 2, items Frame 1, 30,40,50,60, in description from See Col. 5, Lines 56 to Col. 6, Line 20).

Chernock et al. does not show transmitting only cursor display location information.

Blonstein et al. teaches transmitting only cursor display location information by moving the cursor on the TV screen in alignment with pointing device movement (See Fig. 7, in description See from Col. 9, Line 59 to Col. 10, Line 11).

It would have been obvious to one of ordinary skill in the art at the time of invention to implement the cursor movement transmitting only the cursor display information as shown by Blonstein et al. in Chernock et al. apparatus in order to allow the accuracy of defining location to be improved (See Col. 2, Lines 55-57 in Blonstein et al. reference).

Blonstein et al. and Chernock et al. do not teach a storage device is a register.

Ohyama et al. teaches a storage device is a register (See Fig. 1, items 11, 16, Col. 8, Lines 57-67).

It would have been obvious to one of ordinary skill in the art at the time of invention to implement the storage device as a register as shown by Ohyama et al. in Blonstein et al. and Chernock et al. apparatus in order to select function of a television receiver simply and rapidly (See Col. 1, Lines 60-65 in Ohyama et al. reference).

As to claim 7, Chernock et al. teaches an MPEG source for supplying an MPEG transport stream to the display apparatus (See Fig. 1, items 100, 160,170, in

description See Col. 5, Lines 11-22); an OSD generator display data in digital format (See Col. 4, Lines 38-45); a controller for controlling the MPEG source and OSD generator (See from Col. 4, Line 64 to Col. 5, Line 10).

Chernock et al. does not show an OSD generator for generating display data in bitmap format. Since advantages of using bitmap format were not shown, it would have been obvious to one of ordinary skill in the art at the time of invention to implement an OSD generator for generating display data in bitmap format in Chernock et al. apparatus in order to provide the user with a simple interface to navigate a cursor among current hot spots (See from Col. 2, Line 67 to Col. 3, Line 1 in Chernock et al. reference).

As to claim 8, Chernock et al. teaches a command input part for receiving a command signal from the OSD source remote controller and providing the command signal to the controller (See from Col. 4, Line 64 to Col. 5, Line 10).

As to claim 9, Chernock et al. teaches an Mpeg decoder for decoding an MPEG transport stream and outputting image data (See Fig. 1, items 100, 160, 170, in description See Col. 5, Lines 11-22); a buffer for buffering OSD data (See Col. 4, Lines 46-64); an overlapper for overlapping the image data and OSD data and providing overlapped data to the screen (See Col. 4, Lines 54-49); a controller for controlling the MPEG decoder, the buffer, the overlapper, the memory, and the screen (See Fig. 1, items 100, 160, 170, in description See Col. 5, Lines 3-22).

As to claim 10, Chernock et al. teaches a display apparatus remote controller (See from Col. 4, Line 64 to Col. 5, Lines 22).

As to claim 11, Chernock et al. teaches a command input part for receiving a command signal from the display apparatus remote controller (as part of controller) and providing the command signal to the controller (See Col. 5, lines 4-22).

2. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chernock et al., Blonstein et al. and Ohyama et al. (US Patent NO. 5,751,373). as applied to claim 3 above, and further in view of Inoue (US Patent No. 6, 496, 896).

Chernock et al., Blonstein et al. and Ohyama et al. do not show the register as an output asynchronous plug register.

Inoue teaches Count register with the plug structure of asynchronous communication (See Fig. 53, items Transmission and rReception Sides, Col. 58, Lines 12-19).

It would have been obvious to one of ordinary skill in the art at the time of invention to implement the storage device as an output asynchronous plug register as shown by Inoue in Chernock et al., Blonstein et al. and Ohyama et al. apparatus in order to comply to standard communication format (See Col. 1, Lines 13-15 in Inoue reference).

Response to Arguments

3. Applicant's arguments filed on 09.03.04 have been fully considered but they are not persuasive:

On page 2, last paragraph of Remarks Applicant's stated there is no motivation to combine Blonstein with the teachings of Chernock. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, motivation for combining Blonstein with the teachings of Chernock is that the implementation of cursor movement transmitting only the cursor display information to allow the accuracy of defining location to be improved (See Col. 2, Lines 55-57 in the Blonstein).

On page 3, 3rd paragraph of Remarks Applicant's stated there is no motivation to combine Ohyama with those of Chernock and Blonstein. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, motivation for combining

Ohyama with the teachings of Chernock and Blonstein is that function of a television receiver can be selected simply and rapidly (See Col. 1, Lines 61-65 in the Ohyama).

Telephone inquire

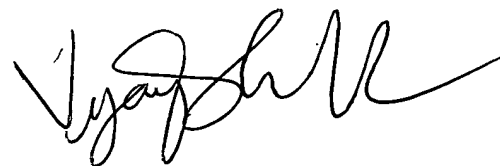
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 703-305-5661. The examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 703-305-4938. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ls

12.26.04



**VIJAY SHANKAR
PRIMARY EXAMINER**